

REMARKS

Claims 1-6 and 8-28, and 71-72 are pending in the instant application. Of these, claims 1-6, 9-28, and 71-72 stand rejected in the pending office action. The assignee is grateful to the examiner for indicating that claim 8 would be allowable if rewritten in independent form.

Claim Objections

The assignee added two claims in the previous response, which were misnumbered through an inadvertent error. The proper numbering of the added claims is reflected in the claim listing above.

Claim Rejections – 35 U.S.C. § 103

Claims 1-6, 9-28, and 71-72 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,937,422, issued to Nelson, et al. (Nelson) in view of U.S. Publication No. 2002/0126097, application of Savolainen (Savolainen).

In its rejection of independent claim 1, the pending office action does not address each and every limitation of the claim, as required. Specifically, claim 1 recites determining a source of each text item in the collection of text items and wherein the step of assigning a weighting comprises the step of calculating the weighting for each identified word based on the source of the text item in which the word was identified. None of these limitations are addressed in the rejection of claim 1 in the pending office action. Assignee respectfully submits that this rejection does not make out a prima facie rejection under 35 U.S.C. § 103(a). This type of rejection is clearly not complete under 37 C.F.R. § 1.104(b) Completeness of Examiner's Action which states "the examiner's action will be complete as to all matters..." (See also, MPEP 2142 regarding obviousness rejections). Accordingly, assignee respectfully submits that the instant rejections under 35 U.S.C. § 103(a) are improper and should be withdrawn. Additionally, in the

event that the next communication from the United States Patent Office is an office action, assignee respectfully submits that the office action should be non-final.

The assignee disagrees with other rejections in the pending office action as well. For example, dependent claim 6 recites the method of claim 1 further comprising the step of adjusting the weighting of an identified word when the word is used in text operations on the electronic device. In rejecting this claim, the office action cites column 2, lines 62-67 of Nelson.

This passage from Nelson reads:

...making adjustments for words in the query that are not in the documents, calculating weights for the semantic components in the query and in the documents, multiplying the weights together, adding the products to determine a real value number for each document, and sorting the documents in sequential order.

In this passage, Nelson provides no disclosure about text operations, let alone adjusting the weighting of an identified word when the word is used in text operations as required by claim 6. Thus, for at least the reasons set forth above, the cited references fail to disclose the subject matter of claim 6. Therefore, claim 6 is allowable and should proceed to issuance.

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CONCLUSION

For the foregoing reasons, assignee respectfully submits that the pending claims are allowable. Therefore, the examiner is respectfully requested to pass this case to issue.

Respectfully submitted,

By: 

John V. Biernacki
Reg. No. 40,511
Jones Day
North Point; 901 Lakeside Avenue
Cleveland, OH 44114
(216) 586-3939